

Sixth Appellate District

San Jose, California

MONDAY, OCTOBER 23, 2006

H028471 PEOPLE v. ORMONDE

(Filed order modifying opinion.) This modification does not affect the judgment. The petition for rehearing is denied. (published)

(McAdams, J., Elia, Acting P.J., Mihara, J.)

Filed October 23, 2006

TUESDAY, OCTOBER 24, 2006

H028871 SHAHBAZI V. EQUILON ENTERPRISES et al.,

The judgment is affirmed. (not published)

(Premo, J.; We concur: Rushing, P.J., Elia, J.)

Filed October 24, 2006

The following case is submitted this date:

H029954 PEOPLE v. CELESTINO B.

H023778 BIG CREEK LUMBER CO. et al. v. COUNTY OF SANTA CRUZ

We reverse the judgment of the trial court, which was entered September 21, 2001, and we remand the matter to the trial court with the following instructions:

(1) Concerning both the zone district ordinance (Santa Cruz County Res. No. 493-99 & Santa Cruz County Ord. No. 4577), and the helicopter ordinance (Santa Cruz County Ord. No. 4572), the court shall enter judgment for defendants, the County of Santa Cruz and the California Coastal Commission, declaring that the ordinances are valid and enforceable, and the court shall vacate the peremptory writ of mandate insofar as it directs the County to annul or repeal these enactments; and

(2) Concerning the riparian ordinance (Santa Cruz County Ord. No. 4571), the court shall enter judgment for plaintiffs, Big Creek Lumber Company, Homer T. McCrary, and the Central Coast Forest Association County of Santa Cruz, declaring that the ordinance is invalid and unenforceable.

Defendants shall have costs on appeal.

(not published) (McAdams, J.; We concur: Elia, Acting P.J., Mihara, J.)

Filed October 24, 2006

H030084 PEOPLE v. ALEXANDER N.

The judgment is affirmed. (not published)

(McAdams, J.; We concur: Mihara, Acting P.J., Duffy, J.)

Filed October 24, 2006

Sixth Appellate District

San Jose, California

Tuesday, October 24, 2006 (continued)

H029744 In re REYNALDO Z., et al.; DFCS v. ROSALINDA H.
(Filed order modifying opinion.) There is no change in the
judgment. (not published)
(Duffy, J.; We concur: Mihara, Acting P.J., McAdams, J.)
Filed October 24, 2006

WEDNESDAY, OCTOBER 25, 2006

H030088 PEOPLE v. LAMOS
The judgment is affirmed. (not published)
(Duffy, J.; We concur: Mihara, Acting P.J., McAdams, J.)
Filed October 25, 2006

H030464 HIGHWIRED TECHNOLOGIES, INC. v. SUPERIOR COURT (PALM
ASSOCIATES, INC.)
Let a peremptory writ of mandate issue commanding the
superior court to modify the July 10, 2006, right to attach order
and order for issuance of writ of attachment by vacating the
turnover order set forth in Paragraph 3(d). The temporary stay
order is vacated. This opinion is made final as to this court
seven days from the date of filing. (Cal. Rules of Court, rule
24(b)(3).) Each party to bear its own costs. (not published)
(Bamattre-Manoukian, Acting P.J.; We concur: Mihara, J., McAdams,
J.)
Filed October 25, 2006

THURSDAY, OCTOBER 26, 2006

H028876 PEOPLE v. BUENO
(Filed order modifying opinion.) There is no change in the
judgment. The petition for rehearing is denied. (not published)
(Elia, J., Rushing, P.J., Premo, J.)
Filed October 26, 2006

H027819 BEUTEL v. FERGUSON, as Executor, etc.
The summary judgment and the attorney fee order are
affirmed. (not published)
(McAdams, J.; We concur: Rushing, P.J., Mihara, J.)
Filed October 26, 2006

Sixth Appellate District

San Jose, California

Thursday, October 26, 2006 (continued)

H030090 PEOPLE v. FRANCO

The judgment is affirmed, except that the true findings as to the allegations that defendant suffered a prior Texas robbery conviction pursuant to (1)the Three Strikes law (§§ 667,subd. d)) and(2) section 667, subdivision (a)(1), are reversed. The sentence is vacated, and the matter is remanded for a retrial as to the allegations concerning the prior Texas robbery conviction and for resentencing. (not published)

(Duffy, J.; We concur: Mihara, Acting P.J., McAdams, J.)
Filed October 26, 2006

H029456 PEOPLE v. ALMANZA

The judgment is affirmed. (not published)
(Mihara, Acting P.J.; We concur: McAdams, J., Duffy, J.)
Filed October 26, 2006

FRIDAY, OCTOBER 27, 2006

H029519 PEOPLE v. HOBSON

The judgment is affirmed. (not published)
(Duffy, J.; We concur: Mihara, Acting P.J., McAdams, J.)
Filed October 27, 2006

H029498 PEOPLE v. RICHARDSON

The judgment is affirmed. (not published)
(Mihara, J.; We concur: Bamattre-Manoukian, Acting P.J., McAdams, J.)
Filed October 27, 2006

H029842 In re DONALD SCHMIDT on Habeas Corpus.

By the Court*:

Respondent's petition for rehearing is denied.
Filed: October 27, 2006

*Before Bamattre-Manoukian, Acting P.J., and Duffy, J..

H029472 PEOPLE v. CLARK

The order of commitment is affirmed. (not published)
(Premo, J.; We concur: Rushing, P.J., Elia, J.)
Filed October 27, 2006

H029799 PEOPLE v. CHANDRA

The judgment is affirmed. (not published)
(Premo, J.; We concur: Rushing, P.J., Elia, J.)
(Filed: October 27, 2006